

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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CRAIG A. MUELLER,

Appellant,

vs.

CRISTINA A. HINDS,

Respondent.

S.C. No.:

D.C. Case No.:

Electronically Filed  
Feb 09 2022 05:53 p.m.  
83412 & 84077  
Elizabeth A. Brown  
Clerk of Supreme Court  
D-18-57106-9-D

**NON-OPPOSITION TO MOTION TO CONSOLIDATE WITH  
RELATED APPEAL AND REQUEST FOR BRIEFING SCHEDULE**

**I. INTRODUCTION**

Respondent, Cristina A. Hinds, by and through her attorney, Marshal S. Willick, Esq., of the Willick Law Group, and pursuant to NRAP 27(a)(3), submits this response to the *Motion to Consolidate with Related Appeal* filed on February 2, 2022. Since the earlier motions, both appeals are outside the settlement process, and set for briefing.

In short, we have no objection to consolidation of the fees appeal with the appeal of the underlying order, which makes sense for judicial economy and that of the parties. Yet, the Court's guidance is requested as Cristina is the Appellant in the

fees appeal and the Respondent in the appeal of the underlying order, and we wish to avoid unnecessary duplication or confusion.

## **POINTS AND AUTHORITIES**

### **II. STATEMENT OF FACTS**

The *Decision* leading to appeal No. 83412 was issued months before the final ruling on attorneys fees, which led to appeal No. 84077. They concern precisely the same facts and parties and litigation, and it makes sense to resolve them together. We agree with counsel for Craig, who has indicated that the decision in the earlier appeal could conceivably moot the second appeal if he is successful.

### **III. NON-OPPOSITION AND OPPOSITION**

It makes sense for appeal number 83412 to be consolidated with 84077 as the same Appendix is referenced for all underlying facts, and it involves the same parties and litigation. The issues involved in the attorney's fee appeal are not particularly complex either, although they do have some public policy ramifications; the problem we see is the confusion as to which side would file the opening brief, and who would brief what in each filing. Our review of the rules leaves us unclear as to exactly how the briefs should be arranged, presuming consolidation is granted.

Specifically, Craig should file the Opening Brief on the substantive appeal and a Reply, and we should do the same as to the fees appeal. It seems wasteful to have six briefs filed, however. We think it best if the Court gives direction, presuming consolidation is granted, as to which issues should be briefed by which parties in which briefs.

#### **IV. CONCLUSION**

The two appeals should be consolidated. We request the Court's direction as to who would file which brief, on which issues, in what order.

**DATED** this 9th day of February, 2022.

Respectfully Submitted By:  
WILICK LAW GROUP

/s/ Marshal S. Willick

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## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the WILICK LAW GROUP and that on this 9th day of February, 2022, document entitled *Non-opposition to Motion to Consolidate with Related Appeal and Request for Briefing Schedule* was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows, to the attorneys listed below at the address, email address, and/or facsimile number indicated below:

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